

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
DARRELL JOE, :
 :
 Petitioner, : 10 Civ. 4737 (JSR) (THK)
 :
 -v- : ORDER
 :
 MICHAEL HARGROVE, et al., :
 :
 Respondent. :
----- X

JED S. RAKOFF, U.S.D.J.

On July 8, 2011, the Honorable Theodore H. Katz, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending dismissal of the action with prejudice under Fed. R. Civ. P. 37(b)(2)(A) and Fed. R. Civ. P. 41(b). Subsequently, on July 26, 2011, plaintiff submitted objections to the Report and Recommendation. Accordingly, the Court has reviewed the petition and the underlying record de novo.

Having done so, the Court finds itself in complete agreement with Magistrate Judge Katz's Report and Recommendation and hereby adopts its reasoning by reference. Accordingly, the Court dismisses the action, with prejudice. The Clerk of the Court is hereby ordered to close the case.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
~~October~~ 11/3 2011

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/4/11